

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA

vs.

NO. 2:13-CR-270(18)
JUDGE FROST

JOEL J. BROWN

GOVERNMENT'S PLEA AGREEMENT SUBMISSION
OF ELEMENTS AND PENALTIES FOR
21 U.S.C. §§846, 841(a)(1) and 841(b)(1)(B)(iii)
AND 18 U.S.C. §§924(c)(1)(A)(i)

1. ELEMENTS: 21 U.S.C. §§846, 841(a)(1) and 841(b)(1)(B)(iii)

- First: The defendant agreed with at least one other person, to possess with intent to distribute cocaine base, Schedule II controlled substances;
- Second: The conspiracy described in the Indictment was willfully formed, and was existing at or about the time alleged;
- Third: The defendant willfully became a member of the conspiracy;
- Fourth: The objectives of the conspiracy was to possess with intent to distribute and possess with intent to distribute 28 grams or more of cocaine base; and
- Fifth: That said agreement existed, at or about the time alleged, in the Eastern Division of the Southern District of Ohio

2. PENALTIES

- A. Mandatory Minimum: Five years of imprisonment.
- B. Possible Maximum: Forty years in prison, a fine of \$5,000,000.00, a term of supervised release of at least four years, and a \$100 special assessment.

3. ELEMENTS: 18 U.S.C. §§924(c)(1)(A)(i)

- First: That the defendant possessed one or more firearms in furtherance of a drug trafficking crime;
- Second: That the defendant did so knowingly and intentionally;
- Third: This act occurred in the Southern District of Ohio on or about the time alleged in the Indictment.

4. PENALTIES

- A. Mandatory Minimum: A mandatory consecutive five-year term of imprisonment;
- B. Possible Maximum: A life term of imprisonment; a fine of \$250,000, three years supervised release, and a \$100 special assessment.

Respectfully submitted,

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s/David M. Devillers

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